

**United States District Court
for the
Eastern District of Washington**

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Javier Guadalupe Flores

Case Number: 0980 2:06CR06053-WFN-3

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: April 30, 2008

Original Offense: Conspiracy to Possess with Intent to Distribute 5 Kilograms or More of Cocaine, 21 U.S.C. § 846

Original Sentence: Prison - 48 months; Type of Supervision: Supervised Release
TSR - 60 months

Asst. U.S. Attorney: Alexander Carl Ekstrom Date Supervision Commenced: February 24, 2015

Defense Attorney: Federal Defender's Office Date Supervision Expires: May 23, 2018

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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| 1 | <p><u>Standard Condition # 7:</u> The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.</p> |
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Supporting Evidence: Javier Flores violated the conditions of his supervised release in Spokane, Washington, by consuming methamphetamine on or about February 25, 2015. The offender reported he consumed methamphetamine on or about February 21, 2015. An admission of use form was signed by the offender on February 25, 2015.

It is noted that the offender provided at least three urine specimens which were confirmed positive for methamphetamine during the month of February 2015, prior to release from Bureau of Prisons' (BOP) custody.

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| 2 | <p><u>Special Condition # 16:</u> You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.</p> |
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Supporting Evidence: Javier Flores violated the conditions of his supervised release in Spokane, Washington, by failing to appear for urinalysis testing on March 12, 2015, pursuant to the phase urinalysis program.

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| 3 | <p><u>Standard Condition # 3:</u> The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.</p> |
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Supporting Evidence: On March 5 and 12, 2015, the offender failed to appear in the United States Probation Office as directed by the undersigned officer. On March 3, 2015, the offender was directed to appear in the office each week, effective March 5, 2015, until he commenced substance abuse counseling. As noted, the offender has failed to make himself available pursuant to the undersigned officer's directive.

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Standard Condition # 6: The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.

Supporting Evidence: Javier Flores violated the conditions of his supervised release in Spokane, Washington, by failing to notify his probation officer before changing his residence. Collateral contact with the offender's relatives indicate he is residing in the Tri Cities area of late. Unannounced home visits at his listed address in Spokane have been conducted on February 27 and March 10, 2015, respectively. The offender has failed to respond to directives to establish contact with the undersigned officer following the above-referenced field attempts. It appears the offender is maintaining the apartment, but living elsewhere in the Eastern District of Washington.

The undersigned has attempted to contact the offender via his listed cell number. In addition, a text message was sent instructing him to appear in the office as directed. As previously noted, the offender has not made himself available for supervision purposes.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the offender to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 03/13/2015

s/Tommy Rosser

Tommy Rosser

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons/
☐ Other



Signature of Judicial Officer

March 13, 2015

Date